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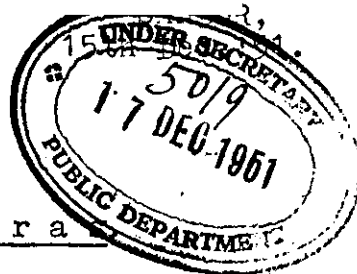
MS SERIES.

Dated 6/4. 513

Isti. Joints. Si K. Kurumatta
 formerly Jmeter Sander - Hlotha
 also Joints in MFSs Pk. or
 Rejected

To

The Secretary,
Political Department,
Fort St. George, M a d r a s



X || Through The Proper Channel.

Most Honoured Sir,

The petitioner K. Kumarappa, a Subordinate of Erst-while Sandur State, most humbly and respectfully brings the following hardships caused to him as a result of his being absorbed in the Lower rank, bring to your honours kind consideration and sympathetic orders.

The petitioner joined service in the Sandur State as a Forest Guard on 1-2-1918 on Rs.6/-. Subsequently he was appointed as a range clerk with effect from 1-7-1918 on Rs.12/- and in 1923 he earned his promotion as a Forester which post he joined on 15-12-1923 and earned the maximum pay of Rs.30/= in the scale of 20- $\frac{1}{2}$ - 30. He was appointed as a Supervisor with extra pay of Rs.20/- at every time there was fodder operations between the years 1943 to 1949 which post requires special skill, technical knowledge and ability to complete the work successfully in the short period of its operations. Only men of tried ability, skill and integrity are appointed to the post of supervisor which post the petitioner had on several occasions. The petitioner had also been ~~awarded~~ awarded a special medal as a mark of special distinction for the best and meritorious service he has rendered to the State in his capacity as a Forester. The award of this special medal carries with it a special pay of Rs.5/- besides his permanent pay.

2. The petitioner is now aged 52 years, with a qualifying service of above 34 years having his permanent designation as Forester carrying a pay of Rs.30/- + 5/-(35/-) and has 3 years more to retire on superannuation pension.

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M-N

3. Sandur State was merged with the Indian Union on 1-9-1949 when the Collector of Bellary took charge of the State. After its merger the special officer in charge of the State recommended the petitioner in his No.1412-49 C dated 14-9-49 to be absorbed as a Forester of the first or second grade in the Madras Forest Subordinate Service. After the State Forests were taken over charge by the District Forest Officer, Bellary on 12-4-50, the District Forest Officer also was kind enough to recommend the petitioner as a special case to be retained in the rank of a Forester in the Madras Forest Subordinate Service as he found him quite fit for the post of a Forester. But subsequently in his No.808-50 dated 18-3-50 the District Forest Officer issued orders absorbing the petitioner to the rank of a Forest Guard which post falls under inferior service thus depriving the petitioner with the status of a Forester by which the petitioner lost his prestige, the honour which the post carried before the merger of the State. In his present inferior post ~~xxxx~~ as a Forest guard, he has fallen low in the eyes of the public with whom he comes in contact in the discharge of his duties for the last 33 years.. This was done. I learn, with reference to G.O. MS 855. Public (Political) dated 26-3-49 Sub Para (ii) of para 1 of the G.O. says that persons possessing inferior qualifications not occupying posts which made the Madras Government require superior qualifications should be offered alternative posts to which their qualifications entitle them in Madras. The petitioner is of humble opinion that while issuing Government orders, the hardships caused to Subordinates like the petitioner were not kept in view or in such cases were kept in view, the instructions contained in the G.O. seem to have been not properly applied as explained below.

(1) The Government of India have given a definite assurance to the Rulers of the merged states that as far as

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possible all permanent members of the public services in the State would be absorbed on conditions which will not be less advantages than those which they were receiving before the merger.

(ii) The Madras Government having taken ~~over~~ charge of the state are bound ^{to} ensure that the guarantees and assurances given by the Government of India are fulfilled and ~~that there~~ that the State Subordinates absorbed do not suffer any loss not only in their emoluments but also in their rank and prestige.

at (N) (iii) According to sub para (iii) of para 1 of the G.O. Ms 855 P (Political) dated 26-3-49 those who have no qualifications should be retired on compensation for loss of career and such unqualified persons may however be retained in service on their previous pay scale.

4. (a) The assurance given by the Government of India have not been implemented and the principles ~~as~~ enunciated by the Madras Government have been violated as in the case of the petitioner he has been absorbed in the post of a Forest guard in the Madras Forest Subordinate services which is an inferior post without having the advantages the petitioner had as Forester in the State Service and there he has been reduced in rank and lowered in prestige.

at (N) (b) The petitioner has not been retained in service as Forester allowing him to continue to have the previous pay scale till he retired from service as required in the G.O., quoted in para 3 (iii) above. Thus the Government instructions have been followed more in the breach than in the favour of the petitioner.

(c) Direct recruitment to the post of a Forester in the Madras Subordinate service needs the minimum educational qualifications of a school final. But a promotee from the rank of a Forest Guard does not require the school final qualifications as such person (promotees) should be able to

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read and write freely in the vernacular. A Forest Guard recruited today without a school final qualification stands eligible for promotion to the post of a Forester and such subordinates & recruited before a particular date are also eligible for promotion to the rank of a Forest Ranger a superior post. When such be the case a subordinate of a state, recruited some 28 years back and who had put in 33 years of service and who has studied upto II Form and who can talk and write in English freely has been denied the right of continuance as a Forester. Therefore in the case of the petitioner a marked difference has been shown giving him a differential treatment from that enjoyed by a subordinate with similar qualifications in the Madras Forest Subordinate service. This disparity in the case of the petitioner has to be removed.

B

12-11 (N) 5. According to para 3 (a) of the G.O.No.Ms 855 P (Political) dated 26-3-49 Government called for proposals for the absorption of the state subordinates into Madras Services with details of relevant rules to be relaxed but in the case of the petitioner, in whose case even relaxation of rules is not quite necessary, as he is a promotee from the rank of a Forest Guard and such promotees need not possess school final qualifications as per Madras Forest Subordinate services rules he has been reduced in rank and degraded to a lower post which is in violation of guarantees and assurances given both by the Govt. of India and the Madras Government with reference to rules framed for the absorption of the subordinates of merged states.

not paying 6. The concession of fixing pay and advance increments allowed in G.O.855 dated 26-3-49 may not be applied to the petitioner if necessary as required in para 7 of the said G.O. to which extent the petitioner is prepared to sacrifice.

7. Therefore the petitioner finally begs the benign Government to kindly consider the following hardships and

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restore the petitioner to his former post as a Forester without any loss in rank and status lowered under the following grounds.

not put (a) In the case of the petitioner the principles laid down in G.O. MS No.2174 Public (Political) dated 15-5-50 have caused a great hardship as such his case may kindly be dealt with individually on its merits as required in para 8 of the said G.O.

(b) That the educational qualifications prescribed for a Forester are no bar, in the case of the petitioner as he happened to be a promotee from the ranks of a Forest Guard which ~~post~~ post does not require ~~special~~ special qualifications as per Madras Forest Subordinate Service Rules nor promotees of such post (Forest Guard) to the rank of a Forester require school final qualification.

(c) ~~If still the minimum qualifications are considered~~ quite necessary in the case of the petitioner, he may however be retained in service as Forester on the previous pay scale held by him before the merger of the State if the Madras Scales of pay cannot be applied in his case.

(d) that the Govt. Of India's Assurances given to the Ruler and to the subordinates are implemented.

not put (e) that G.O. MS No.2174 P dated 15-5-50 is suitably amended if necessary to meet the case of the petitioner on its merits as required in para 8 of the said G.O.

(f) that the differential treatment given to the ^{8.} petitioner from that of a regular subordinate of Madras is removed and the petitioner restored to his permanent post.

8. ~~that it differs~~ It may not be out of place to mention that in these days of great famine and low pay and the petitioner with a large number of members of a big family depending upon the petitioner, will ever pray in the event of his being absorbed as a Forester in the Madras Forest Subordinates Service as his emoluments would thereby increase as

as detailed below. This may kindly be ordered as he shall be in service only for 5 years as has to retire on superannuation pension after 35 years of unblemished service both in the state and under in Madras Forest Subordinate Service in the year 1954.

	Pay drawn in State service before merger.	Pay drawn after merger while under collectors control and before the absorption in the Madras Forest Subordinate Services.	Pay that would be admissable if he absorbed as a Forester in the Madras Forest Subordinate Service to which the petitioner begs.	Pay Now paid as a Forest Guard
Pay	Rs. 30/-	Rs. 30/-	50/-	30/-
Medal allowance	5/-	5/-	may be absorbed in the pay of Rs. 50/-	5/-
Dearness allowance	3/-	19/-	22/-	19/-
Clothing allowance	2/-	2/-	—	—
Fixed Travelling allowance	—	13/2/-	13/2/-	—
House Rent allowance	—	—	—	1/-
Total ...	40/-	69/2/-	85/2/-	55/-

To put it in a nut shell the petitioner's request is to give him the same concession and a like treatment as is being given to a Subordinate of Forest Subordinate Service by relaxing the school final qualification as it is done in the case of a promotes as required by the Forest Subordinate Service Rules and to restore him to his permanent post as a Forester

9. For which act of kindness and generosity, the petitioner shall ever pray.

The petitioner begs to remain
Most Honoured Sir,

Your most obedient and humble subordinate,

K. K. Rameshappa
Forest Guard. 15/12/57

Copy submitted direct to save delay.

Public (Political - A) sept.

Development u.s. for necessary action. mat
department may be requested to let Pub (Pol.) see
the case in due course.

JS 25/12

Lee
24-12-51

140579

Pub (Pol. A)

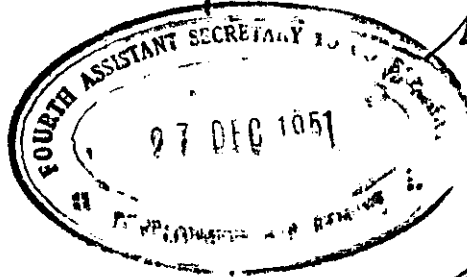
U.O. NO 5019/S...

27.12.51

Dev/Co Dept

Enclosure for perusal of
App. & b. atom. The petition submitted
thru the proper channel may
be avoided till 27.1.52

Groom



27.12.51

Re
28/12/51.

x Vice Complainte

8 JSSM
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28.1.52

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28.1.52 (2) 28.1.52

Memo No. 140579 GSI-1 of 28.1.52

Sub: Edk. Forests. Sri K. Kumarappa, Forest
Guard, Somdurg - Absorption

The attention of the Secy is directed
to the petition of 15.12.51 submitted through P.P. D. Singh
through proper channel by one Sri K. Kumarappa
Forest Guard of the Forests, Secy of Somdurg
and he is requested to expedite it
promptly with his remarks.

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28.1.52

To
Sd/-
1.2.52
Sd/-
NR. 19.2.52

Sandur (Bellary District)
16th May 1952

To
The Secretary,
Development Department
Political Department
Fort, St. George, Madras.

Through The Proper Channel,

Most Honourable Sir,

Sub:- Appeal for absorption as Forester- Prayed for.

Ref:- My appeal petition dated 15-12-1-51

I most humbly beg to inform your honour that I have not been favoured with any response for my appeal petition dated 15-12-1951 so far. I further submit that the Government have in G.O. Ms Mis No 2920 dated 19-II-1951 ordered the relaxation of educational qualifications and permitted the drawal of Madras Scales of Pay from 1-9-49 the date of merger of Sandur State, in case of such exempted subordinates. A copy of the G.O. is submitted herewith for ready reference.

Therefore, I once more request that my petition may kindly be sympathetically considered on the grounds mentioned in my appeal and favour me with an early order.

Yours Most obediently

K. K. Sumanappa.

Forest Guard.

Yeswant nagar B. at Sandur Range
Sandur (Bellary).

Copy to :-

Submitted direct to save delay.

The Honourable Minister, Forest in charge (Madras)

(with copy of appeal petition) direct to save delay ✓

To The Chief Conservator of Forests

Madras ~~xxxxxx~~ Direct to save delay.

Lew. Deph.

Please see the petition on p 9 above of H H's
 minute thereon. The remarks of the CCF have
 already been called for in the original petition
 and he was reminded on 20-5-52. ^{His} remarks
 may be awaited till 17-6-52

v p 8 above.

K t p 4

1952

Re
 29/5/52

Sandur,
Dated. 31-10-52.

123483

To
The Secretary to the Government,
Development Department,
(Political Department.)
Fort. St. George,
MADRAS.

Through
Proper Channel,

Most Honoured Sir,

Subject:- Appeal for absorption as Forester
Prayed for.

Ref:- My appeal petition dated 15-12-51

I have submitted an appeal dated 15-12-51. Your Honour
has not considered my case so far. I request your Honour to
kindly do Justice and for favourable orders at an early
date.

In this connection I beg to bring to your kind notice
that I am a permanent Forester of Sandur State Government
and as per G.O. Ms. 2332 Dated 1st. October 1952 of the Govern-
ment of Madras of Condition (1) I must be ^absorbed in the
Permanent cadre of the post held in the State Government.
I am enclosing herewith a copy of G.O. Ms. 2332 dated 1st.
October 1952 for favour of your ready reference.

I pray for favourable consideration and early orders
in the matter.

Yours Faithfully,

K. Kumarappa
31-10-52

Address.
K. Kumarappa,
Survey Forester,
Sandur.

Copy submitted direct to the Secretary, Development and
Political Department, Madras to save delay.

submitted to the Chief Conservator of Forest, Bellary
Madras.

Submitted to the Collector of Bellary with the copy
of the appeal petition dated 15-12-51.

Excell. No 140379 651-11 dt. 4.11.52

copy case recommended to the act in
consideration of Govt. Memo No 140379 651-11 dt
4.2.52. It is suggested to expedite the final
decision.
31/52 31/52

37/13

Copy of G.O.No.2332 dated the 1st. October 1952 of the Government of Madras. -----

States-merged Pudukotta, Banaganpalli and Sandur- Definition and scope of the term 'Absorption' orders passed.
Read again:-

G.O.885 Public(Political) dated 28-3-49.

Reference :- from the Board of Revenue Ref:- W.7701 dated 27-8-52.

ORDER:-

The Government of India have given assurance to the rulers of the merged states that as far as possible all departments members of the Public Services in the States would be absorbed on conditions which will not be less advantageous than those which they were receiving before the merger. They have accordingly directed that the guarantees which references to ~~passix~~ permanent public servants should be scrupulously observed under the provisions the agreements of merger and covenants establishing the Union of States, the interests of the permanent members of the public services of the merged and integrated states have been adequately safeguarded. As successors to the Rulers, Government of Madras are anxious to ensure that the guarantees given to the rulers are fulfilled both in letter and spirit.

2. The Government have had under circumstances and scope of the term "Absorption" with reference to the members of the Public Services of the former Indian States of Pudukota Banaganpalle and Sandur. According to the latest order of the Government of India governing the Central services Permanent services in any grade in premerger set up should be treated as permanent services in the equivalent grade in the central set up and officiating and temporary services on officiating and temporary service respectively. In consonance with these principles this government after careful consideration direct that the following principles be observed in respect of the former State employees since absorbed in the service of this State.

(1) a permanent state employee should be absorbed in a permanent post under this Government.

(2) If a state employee was holding a permanent appointment and officiating in a higher post, he should be absorbed in a permanent post and allowed to officiate in a higher post in which he has been appointed and

(3) if his appointment was temporary, he should be treated as temporary under this Government also and that he should take his chance of consideration along with others.

3. The Collectors of Thiruchirappalli, Kurnool and Bellary and all appointing authorities concerned should give immediate effect to the above orders. They should also submit proposals to Government in the Administration Department concerned wherever necessary for the creation of supernumerary posts if required in case no permanent posts are available on 1-1-49 the crucial date of absorption in respect of Banaganapalle and Pudukotal, and 1-9-49 in respect of Sandur.

H.C.6874/50, S.1.

Collector's Office,
Bellary. Dated. 1-10-52.

Subject:- States-merged Sandur-Definition and scope of the term " Absorption-orders communicated.

Ref:- G.O.No.2332 Public(Pol.A) Department dated 1-10-52.

A copy of the G.O.Cited above is communicated to the District Judge, Bellary, District Magistrate, Cooty, Lt. Superintendent of Police, Bellary, Lt medical Officer, Bellary, Lt. Health Officer Bellary, Lt. Prohibition Officer, Bellary, Supdtg. Engineer Rayalseema Power System Bellary, Lt Forest Officer, Bellary, Commercial Tax Officer, Bellary, Lt. educational Officer, Bellary, Lt. Registrar Bellary, Executive Engineer, R.T.D Bellary.

Executive Engineer, P.W.D., Bellary. Divisional Engineer
Highways Bellary and the President M. Board Bellary for
information.

Copy to the Asst. Collector, Hospet and Revenue Divl,
Officer, Bellary for information.

Copy to all Munsildars.

Copy to A4 and A5 Collector's Office, Bellary for
necessary action.

Copy to stock file of S. I. Collector's Office.

/ by Order/

(sd)xxxxxxxxxxxx

Huzur Head Clerk.

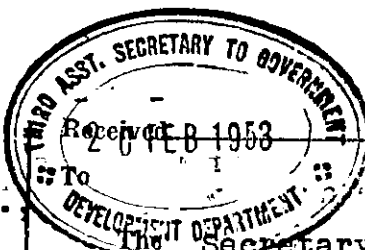
(True Copy)

K. Kamappa

31-10-52

Forest

Department



Registered

From (Name) Sri M. Kesavan Unni
Nayar I.F.S.
Designation Chief Conservator of
Forests,
Station Madras.

The Secretary to Government,
Development Department,
Fort St. George, Madras.

19866

Enclosures: Ref. No. 2274/52-B5 dated 15 - 2 - 1953.

Sir,

Sub: Establishment - Forests - Sri K. Kumarappa
Forester, Sandur State - absorption as Forester
in the Madras Forest Department.

Ref: Government Memorandum No. 140579 CI/51-1
dated 28-1-52 and 4-11-52.

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I enclose herewith the petition of Sri K. Kumarappa
dated 15-12-51 and 31-10-52 addressed to the Government
together with the enclosures and Conservator's endorsement.

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127 7 4 (A)

2. The petitioner started service of Forest Guard
in Sandur State on 1-12-1918 and promoted as Forester
in that state from 6-12-23 in the scale of 20-1-30. His
total emoluments including allowances in the state
were Rs.40/-. When the state was taken over by the
Revenue Department on 1-9-49, the petitioner continued
to draw the state scale of pay, but he was paid Dearness
Allowance and Fixed Travelling Allowance under the Madras
rates raising his emoluments to Rs.69-2-0. The Forest
Department subsequently took over the Forests and the
petitioner was retained as Forest Guard from 5-8-50
and he was paid in all Rs.55/- per month being the pay
and allowances admissible to a Forest Guard. When
proposals were submitted for absorption on a regular basis
relaxing the service rules, the petitioner expressed
his willingness on 25-6-51 to continue as Forest Guard.
The Government raised the question whether these proposals
were in any way less advantageous than what they
were formerly enjoying under the Durbar. The Government
were informed, that fixation of pay in Madras rates
was more advantageous than under the state. The service
rules were then relaxed in favour of the petitioner
and eight others and their absorption was ordered
in G.O.Ms.No.2493 Development dated 12.6.52. Subsequently
in G.O.2332 Public (political) dated 1.10.52 it was
directed that the state employees since absorbed in the
service of Madras State should be absorbed in permanent
posts and if no permanent posts were available
supernumerary posts should be created for the purpose.
The petitioner now refers to this G.O. in his subsequent
petition dated 31-10-52 and requests that as he was
a permanent Forester of Sandur state, he may be
absorbed in a permanent post of a Forester. The G.O.
cited lays down that a permanent state employee should
be ~~xx~~ absorbed in a permanent post and no emphasis is laid
on equivalent post. But under the assurance given to the
state employees, they have to be absorbed on conditions
which/not less advantageous than those before the
merger. The Range Officer Sandur in his remarks on the
petition states that the petitioner, who was a forester
in the Sandur State, feels more for the humiliation caused
by his absorption as Forest Guard than for his emoluments.
The petitioner in one of his previous petitions has stated

are

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that he would have been promoted as Ranger in the state but for the merger as he was senior to the Foresters in the State.

In the circumstances I recommend the petitioner's request for consideration. He is due to retire on 15.7.53.

Bsr 19/2

Nilaghar
19.2.53.
For Chief Conservator of Forests.

19/2

ic.No.481/52 M.2.

Office of the Conservator of Forests,

B.C.Bellary. dated. 14...3...52.

22 MAR 1952

Forwarded.

2/- The petitioner Sri. K. Kumarappa submitted a similar petition previously and it was submitted to the Chief Conservator of Forests in this Office Rc.No.2099/50 M.2. dated 20.2.51 with remarks of the Conservator. On this the Chief Conservator of Forests in his reference No.4615/51 D.1. dated 3.6.51 had ordered that this Forest Guard and 3 others who applied for absorption as foresters may be retired or discharged on compensation for loss, if they are not willing to be absorbed as Forest Guards in the Madras Forest subordinate service. The statements of this Forest Guard and 8 others of Sandur state to the effect that they were willing to be absorbed as Forest Guards, were submitted to the Chief Conservator of Forests in this Office Rc.2099/50 M.2. dated 21.8.51.

3. The petitioner as Forest Guard is being paid at the rates paid to him previously as Forester while in the state except the F.T.A. of Rs.13/2/- for which a Forest Guard is not entitled.

4. I therefore have no further remarks to add.

Sd. S.R. Rao,

Conservator of Forests,

/true copy/by order/

skr/21/3.52

manager

Encl:-- petition of K.Kumarappa. 8 pages.

(ccs NO 2274/52) 19.2.52

274875149
25.12.51. 19

N. Div. 423/51 dated 19.12.51.

Submitted to the District Forest Officer, Bellary Division,
Bellary

2. The petitioner feels that by his absorption as Forest Guard, humiliated him in his status and he is very particular about this than his emoluments. His ability as Forester is above average. As such he richly deserves consideration. He is fit to be in charge of any section. He can efficiently manage if he is given any heavy section. His conduct and work are very satisfactory.

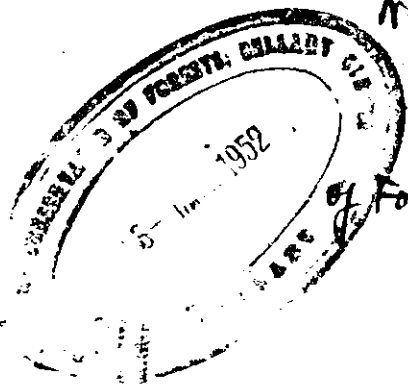
Attd
21/12/51

M. M. M. M.
19.12.51
Range Officer
Bandur Range

481/52 ¹⁴ M2

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ND 2946/52 H4 Dt 29.2.52



Submitted to the Conservator
of Forests, Bellary.

Recd

^{29 2/52}
District Forest Officer,
Bellary

cf
25.2.52 ²⁰⁰
28/2/52

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(32)

S. Kumarappa
MP 16 am

SANDUR,
15th Dec. '51.

423/51
PM
17-12-51
7
18/12/51

To
The Secretary,
Development Department,
and Political Department,
Fort St. George, M a d r a s.
Through The Proper Channel.

Most Honoured Sir,

The petitioner K. Kumarappa, a Subordinate of Erst-
while Sandur State, most humbly and respectfully brings the
following hardships caused to him as a result of his being
absorbed in the Lower rank, bring to your honours kind con-
sideration and sympathetic orders.

The petitioner joined service in the Sandur State as a
Forest Guard on 1-2-1918 on Rs.6/-. Subsequently he was
appointed as a range clerk with effect from 1-7-1918 on Rs.12/-
and in 1923 he earned his promotion as a Forester which post
he joined on 6-12-1923 and earned the maximum pay of Rs.30/-
in the scale of 20- $\frac{1}{2}$ - 30. He was appointed as a Supervisor
with extra pay of Rs.20/- at every time there was fodder opera-
tions between the years 1943 to 1949 which post requires
special skill, technical knowledge and ability to complete
the work successfully in the short period of its operations.
Only men of tried ability, skill and integrity are appointed
to the post of supervisor which post the petitioner had on
several occasions. The petitioner had also been ~~awarded~~ awarded
a special medal as a mark of special distinction for the best
and meritorious service he has rendered to the State in his
capacity as a Forester. The award of this special medal carries
with it a special pay of Rs.5/- besides his permanent pay.

2. The petitioner is now aged 52 years, with a qualify-
ing service of above 34 years having his permanent designation
as Forester carrying a pay of Rs.30/- + 5/-(35/-) and has 3
years more to retire on superannuation pension.

5. Sandur State was merged with the Indian Union on 1-9-1949 when the Collector of Bellary took charge of the State. After its merger the special officer in charge of the State recommended the petitioner in his No.1412-49 C dated 14-9-49 to be absorbed as a Forester of the first or second grade in the Madras Forest Subordinate Service. After the State Forests were taken over charge by the District Forest Officer, Bellary on 12-4-50, the District Forest Officer also was kind enough to recommend the petitioner as a special case to be retained in the rank of a Forester in the Madras Forest Subordinate Service as he found him quite fit for the post of a Forester. But subsequently in his No.808-50 dated 18-8-50 the District Forest Officer issued orders absorbing the petitioner to the rank of a Forest Guard which post falls under inferior service thus depriving the petitioner with the status quo of a Forester by which the petitioner lost his prestige, the honour which the post carried before the merger of the State. In his present inferior post ~~xxxx~~ as a Forest guard, he has fallen low in the eyes of the public with whom he comes in contact in the discharge of his duties for the last 33 years. This was done, I learn, with reference to G.O. MS 855. Public (Political) dated 26-3-49 Sub Para (11) of para 1 of the G.O. says that persons possessing inferior qualifications not occupying posts which made the Madras Government require superior qualifications should be offered alternative posts to which their qualifications entitle them in Madras. The petitioner is of humble opinion that while issuing Government orders, the hardships caused to Subordinate like the petitioner were not kept in view or if such cases were kept in view, the instructions contained in the G.O. seem to have been not properly applied as explained below.

(1) The Government of India have given a definite assurance to the Rulers of the merged states that as far as

possible all permanent members of the public services in the State would be absorbed on conditions which will not be less advantages than those which they were receiving before the merger.

(ii) The Madras Government having taken ~~such~~ charge of the state are Bound^{to} ensure that the guarantees and assurances given by the Government of India are fulfilled and ~~that~~ that the State Subordinates absorbed do not suffer any loss not only in their emoluments but also in their rank and prestige.

Prof. (A)

(iii) According to sub para (iii) of para 1 of the G.O. Ms 855 P (Political) dated 26-2-49 those who have no qualifications should be retired on compensation for loss of career and such unqualified persons may however be retained in service on their previous pay scale.

4. (a) The assurance given by the Government of India have not been implemented and the principles ~~as~~ enunciated by the Madras Government have been violated as in the case of the petitioner he has been absorbed in the post of a Forest guard in the Madras Forest Subordinate services which is an inferior post without having the advantages the petitioner had as Forester in the State Service and there he has been reduced in rank and lowered in prestige.

(b) The petitioner has not been retained in service as Forester allowing him to continue to have the previous pay scale ~~until he~~ retired from service as required in the G.O., quoted in para 3 (iii) above. Thus the government instructions have been followed more in the breach than in the favour of the petitioner.

Prof. (B)

(c) Direct recruitment to the post of a Forester in the Madras Subordinate Service needs the minimum educational qualifications of a school final. But a promotee from the rank of a Forest Guard does not require the school final qualifications as such person (promotees) should be able to

read and write freely in the vernacular. A Forest Guard recruited today without a school final qualification stands eligible for promotion to the post of a Forester and such subordinates recruited before a particular date are also eligible for promotion to the rank of a Forest Ranger a superior post. When such be the case a subordinate of a state, recruited some 28 years back and who had put in 33 years of service and who has studied upto II Form and who can talk and write in English freely has been denied the right of continuance as a Forester. Therefore in the case of the petitioner a marked difference has been shown giving him a differential treatment from that enjoyed by a subordinate with similar qualifications in the Madras Forest Subordinate service. This disparity in the case of the petitioner has to be removed.

Pg 2 of (A)

5. According to para 3. (a) of the G.O.No.Ms 855 P (Political) dated 26-3-49 Government called for proposals for the absorption of the state subordinates unto Madras Services with details of relevant rules to be relaxed but in the case of the petitioner, in whose case even relaxation of rules is not quite necessary, as he is a promotee from the rank of a Forest Guard and such promotees need not possess school final qualifications as per Madras Forest Subordinate services rules he has been reduced in rank and degraded to a lower post which is in violation of guarantees and assurances given both by the Govt. of India and the Madras Government with reference to rules framed for the absorption of the Subordinates of merged states.

Pg 2 of (A)

6. The concession of fixing pay and advance increments allowed in G.O.855 dated 26-3-49 may not be applied to the petitioner if necessary as required in para 1 of the said G.O. to which extent the petitioner is prepared to sacrifice.

7. Therefore the petitioner finally begs the benign Government to kindly consider the following hardships and

11
-5-

(7)

restore the petitioner to his former post as a Forester without any loss in rank and status lowered under the following grounds.

WR Recd (a) In the case of the petitioner the principles laid down in G.O. MS No.2174 Public (Political) dated 15-5-50 have caused a great hardship as such his case may kindly be dealt with individually on its merits as required in para 8 of the said G.O.

(b) That the educational qualifications prescribed for a Forester are no bar, in the case of the petitioner as he happened to be a promotee from the ranks of a Forest Guard which ~~post~~ post does not require school final qualifications as per Madras Forest Subordinate Service Rules nor promotees of such post (Forest Guard) to the rank of a Forester require school final qualification.

(c) ~~If still the minimum qualifications are considered~~ quite necessary in the case of the petitioner, he may however be retained in service as Forester on the previous pay scale held by him before the merger of the State if the Madras Scales of pay cannot be applied in his case.

(d) that the Govt. Of India's Assurances given to the Ruler and to the subordinates are implemented.

WR Recd (e) that G.O. MS-No.2174 P dated 15-5-50 is suitably amended if necessary to meet the case of the petitioner on its merits as required in para 8 of the said G.O.

(f) ~~that the differential treatment given to the~~
2. petitioner from that of a regular subordinate of Madras is removed and the petitioner restored to his permanent post.

8. ~~that the difference~~ It may not be out of place to mention that in these days of great famine and low pay and the petitioner with a large number of members of a big family depending upon the petitioner, will ever pray in the event of his being absorbed as a Forester in the Madras Forest Subordinate Service as his emoluments would thereby increase as

De 2948/51

-6-

as detailed below. This may kindly be ordered as he shall be in service only for 3 years as has to retire on superannuation pension after 35 years of unblemished service both in the state and under in Madras Forest Subordinate Service in the year 1954.

	Pay drawn in State service before merger.	Pay drawn after merger while under collectors control and before the absorption in the Madras Forest Subordinate Services.	Pay that would be admissable if he absorbed as a Forester in the Madras Forest Subordinate Service to which the petitioner begs.	Pay Now paid as a Forest Guard
Pay	Rs. 30/-	Rs. 30/-	50/-	30/-
Medal allowance	5/-	5/-	may be absorbed in the pay of Rs. 50/-	5/-
Dearness allowance	3/-	19/-	22/-	19/-
Clothing allowance	2/-	2/-	--	--
Fixed Travelling allowance	--	13/2/-	13/2/-	--
House Rent allowance	--	--	--	1/-
Total ...	40/-	69/2/-	85/2/-	55/-

To put it in a nut shell the petitioner's request is to give him the same concession and a like treatment as is being given to a Subordinate of Forest Subordinate Service by relaxing the school final qualification as it is done in the case of a promotee as required by the Forest Subordinate Service Rules and to restore him to his permanent post as a Forester.

9. For which act of kindness and generosity, the petitioner shall ever pray.

The petitioner begs to remain
Most Honoured Sir,
Your most obedient and humble subordinate,

K. K. Guwarappa
Forest Guard. 15/12/51

Copy submitted direct to save delay.

- 41 -

Sandur,
Dated. 31-12-52.

23559

To
The Secretary to the Government,
Development Department,
(Political Department.)
Fort. St. George,
MADRAS.

Through
Proper Channel,
Most Honoured Sir,

Subject:- Appeal for absorption as Forester
Prayed for.

P.T.C. Ref:- My appeal petition dated 15-12-51

P.T.C. I have submitted an appeal dated 15-12-51. Your honour
has not considered my case so far. I request your Honour to
kindly do Justice and for favourable orders at an early
date.

P43d In this connection I beg to bring to your kind notice
that I am a permanent forester of Sandur State Government
and as per G.O. No. 2332 Dated 1st. October 1952 of the Govern-
ment of Madras of Condition (1) I must be absorbed in the
Permanent cadre of the post held in the State Government.
P43d I am enclosing herewith a copy of G.O. No. 2332 dated 1st.
October 1952 for favour of your ready reference.

I pray for favourable consideration and early orders
in the matter.

Yours faithfully,

K. Kumerappa
31-10-52

Address.
K. Kumerappa,
Survey Forester, _____
Sandur.

Copy submitted direct to the Secretary, Development and
Political Department, Madras to save delay.

" submitted to the Chief Conservator of Forest, Military
Madras.

" Submitted to the Collector of Bellary with the copy
of the appeal petition dated 15-12-51.

- 43 -

Copy of G.O.No.2332 dated the 1st-October 1952 of the Government of Madras. -----

States-merged Pudukotta, Managanpalli and Sandur- Definition and scope of the term 'absorption' orders passed.

Read again:-

G.O.No. Public (Political) dated 28-3-49.

Reference :- from the Board of Revenue No:- W.7701 dated 27-8-52.

On this:-

The Government of India have given assurance to the rulers of the merged states that as far as possible all departments members of the public services in the states would be absorbed on conditions which will not be less advantageous than those which they were receiving before the merger. They have accordingly directed that the guarantees which references to permanent public servants should be scrupulously observed under the provisions the agreements of merger and covenants establishing the union of states, the interests of the permanent members of the public services of the merged and integrated states have been adequately safeguarded. As successors to the rulers, Government of Madras are anxious to ensure that the guarantees given to the rulers are fulfilled both in letter and spirit.

2. The Government have had under circumstances and scope of the term "absorption" with reference to the members of the public services of the former Indian states of Pudukotta, Managanpalli and Sandur. According to the latest order of the Government of India governing the Central services permanent services in any grade in preference set up should be treated as permanent services in the equivalent grade in the central set up and officiating and temporary services on officiating and temporary service respectively. In consonance with these principles this Government after careful consideration direct that the following principles be observed in respect of the former state employees since absorbed in the service of this State.

(1) A permanent state employee should be absorbed in a permanent post under this Government.

(2) If a state employee was holding a permanent appointment and officiating in a higher post, he should on absorption be given lien on a permanent post and allowed to officiate in a higher post in which he has been appointed and

(3) If his appointment was temporary, he should be treated as temporary under this Government also and that he should take his chance of consideration along with others.

3. The collectors of Thiruchirappalli, Tirunelveli and Bellary, and all appointing authorities concerned should give immediate effect to the above orders. They should also submit proposals to Government in the Administration Department concerned wherever necessary for the creation of supernumerary posts if required in case no permanent posts are available on 1-1-49 the crucial date of absorption in respect of Managanpalli and Pudukottai, and 1-9-49 in respect of Sandur.

G.O.No. 2332/50, P. 1.

Collector's Office,
Bellary. Dated. 1-12-52

Subject:- States-merged Sandur-Definition and scope of the term "Absorption-orders communicated.

For:- G.O.No. 2332 Public (Pol. A) Department dated 1-12-52. A copy of the G.O. cited above is communicated to the District Judge, Bellary, District Magistrate, Bellary, District Superintendent of Police, Bellary, District Medical Officer, Bellary, District Health Officer, Bellary, District Probation Officer, Bellary, District Engineer, Bangalore Power System Bellary, District Forest Officer, Bellary, District Commercial and Industrial Officer, Bellary, District Educational Officer, Bellary, District Registrar, Bellary, District Executive Engineer, Bellary.

Executive Engineer, P.M.D., Bellary. Divisional Engineer
Highways Bellary and the President of Board Bellary for
information.

Copy to the Asst. Collector, Hospet and Revenue Divl,
Officer, Bellary for information.

Copy to all Tahsildars.

Copy to A4 and A5 Collector's Office, Bellary for
necessary action.

Copy to stock file of S. I. Collector's Office.

/ by Order/.

(sd)xxxxxxxxxxxx

Muzur Head Clerk.

(True Copy)

K. K. S. S. S.

31-10-52

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dev (E) copy
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DRAFT FOR APPROVAL.

C.F. 17.

When received for fair copying --		
When copied ..		
When examined..		
When signed ...		
When despatched.		

Initials.

SUBJECT:—

Estu. Josephs. Sri. K.
Kumarappa, formerly forester,
Sandur. A petition as a
forester in the M.F.S.S.
petition - Rejected

READ AGAIN _____, dated _____ 19____.

READ ALSO:—

No. _____ From the *ccf*, No. *2374*, dated *13.2.1953* - *PP15764*
4289

_____, _____, _____, _____ 19____.

_____, _____, _____, _____ 19____.

Order Ms. No. *1634*, dated *6-4-53*.
~~Resolution~~ ~~Rest.~~ _____ 19____.

The petition is rejected. The
ccf is requested to inform the
 petitioner accordingly.

10/4
2882
 To The *ccf* *24.5.53*

CCF
7/4/53

DEVELOPMENT DEPT. (CI).

SUB: ESTABLISHMENT - Forests - Sri K. Kumarappa, Forest Guard, Sandur - Absorption as a Forester.

REF: From Sri K. Kumarappa, petition D/15-12-51.
Memo No C.C.F. No. 145079 CI/51-1 Dev: D/28-1-52.
From the C.C.F. No. 2274/52-B5 D/15-2-53.

pp 1-6 7
p 54
p 15-16 7

10202, p 157

N. 20/157

p 29 707 A

The petition on pp. 1-6 c.f. from Sri K. Kumarappa, an employee of the merged Sandur State and the C.C.'s remarks thereon on pp. 15-16 c.f. may be perused. Sri K. Kumarappa the petitioner joined service in the former Sandur State in 1918 as a Forest Guard. He was promoted as a forester in that state in 1923 in the scale of Rs. 20- $\frac{1}{2}$ -30. Consequent on the merger of Sandur with the Madras State, the forests in the merged area were taken over by the Forest Dept. with effect from 1-9-49 along with the Forest Establishment of the State. At the time of the merger Sri K. Kumarappa the petitioner was drawing pay and allowances amounting to Rs. 40/-. He was retained in service as a Forest Guard from 5-8-50 and he was paid in all Rs. 55 per month (pay and allowances admissible to a Forest Guard). The petitioner is also reported to have expressed his willingness to be retained as a Forest Guard in the Madras Forest Dept. While the petitioner was employed as an A.G. 10- $\frac{1}{2}$ -30, he was retained as a Forest Guard in the Madras Forest Dept. after the merger. But the total emoluments, the petitioner was drawing were not reduced. On the other hand, the petitioner began to draw more than what he was getting while under the state employ~~er~~. As Sri K. Kumarappa did not possess the age qualification and qualifications relating to Physique prescribed for appointment as a Forest Guard in the M.F.S.S., the special rules for the M.F.S.S. were relaxed in favour of the petitioner in order to enable him to be appointed as a Forest Guard in the M.F.S.S.

2

2. In his representation on pages 1 to 6 c.f.

Sri K. Kumarappa has represented that the assurances given by the Govt. of India have not been implemented

in his case as he has been ^{absorbed} ~~observed~~ as a Forest Guard only, that he has not been retained in service as Forester allowing him to continue to have the previous pay scale till he retired from service, that he has been denied the right of continuance as a Forester, though he has put in 33 years of service, that he should be appointed as a Forester on promotion from the post of Forest Guard, that by his retention as a Forest Guard he has suffered loss of prestige and has requested that he may be appointed as a Forester relaxing the rules, if

neccessary. 3. Though the post held by the petitioner was designated as Forester in the Sandur State, the scale of pay for the post was only 20-1/2-30, which is equivalent to the scale of pay of a Forest Guard in this State Rs. 20-1/2-30. The scale of pay of a Forester in this State is Rs. 50-85. So far as the pay of the petitioner is

concerned, it is submitted that he was drawing ^a total sum of Rs. 40/- while under the state employ. The

present pay and allowances of the petitioner as a Forest Guard are Rs. 55/-. There has thus been no

loss of emoluments in the absorption of the ^{petitioner} ~~Forester~~

as a Forest Guard in the Madras Forest Dept. The

Range Officer, Sandur now states that the petitioner

who was a Forester in the Sandur State feels more for the humiliation caused by his absorption as a Forest Guard than for his emoluments. The C.C.F.

has recommended the petitioner's request for consideration.

The petitioner is due to retire on 15-7-53

While submitting proposals for absorption of the

employees of the merged area of Sandur into the

Madras Forest Subordinate Service, the C.C.F. reported

that the petitioner was willing to be ^{absorbed} ~~observed~~ as a

Forest Guard. But the petitioner was not qualified

for absorption as a Forest Guard. The service rules

were therefore relaxed in his favour in order to

enable him to be absorbed as a Forest Guard. The

N. Sampath

p 137

para 3, p 137

|| A

col "against" in 4
on p 234 of (1)

petitioner's request now is for appointment as a Forester. If he is to be appointed by direct recruitment as Forester, the rules relating to age, education and Physique have to be relaxed in his favour, but the policy of the Govt. is not to sanction relaxation of statutory service rules except in the cases of undue hardship. No relaxation of rules is however ~~being~~ necessary, if the petitioner is now promoted as a Forester. But this is for the D.F.O. to consider. In the circumstances it is for orders whether special Rules for the M.F.S.S. will be relaxed in favour of the petitioner in order to enable him to be appointed by direct recruitment as a Forester, or

(2) whether the C.C.F. will be asked to consider the question of promoting the petitioner as a Forester, when a next vacancy arises, or

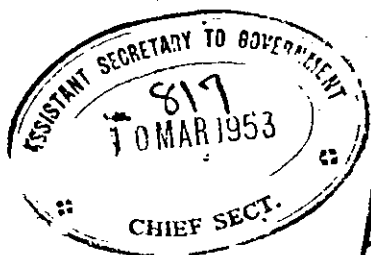
(3) whether the petition will be rejected.

4. Public (Political) and Public (Services) may see for remarks.

On the
53536353 The petitioner has not suffered in his ~~enrolment~~ and his absorption in the MESS as first grade was done with his consent and even for this the rules were relaxed to the extent necessary. There is no case to once again relax the rules and appoint him as a Forester. Because the scale for Forester is Rs 50-85, while what he was drawing in Sandera as Forester was ~~Rs~~ in the scale of Rs 20-1/2-30 which is equivalent to the pay of a Forester in State Service. The C.C.F. cannot take care of the petitioner in the ground that the petitioner found more for the promotion earned by his appointment as Forest Guard, which he was designated as Forester in Sandera State Service. If any consideration is to give to this feeling, then the C.C.F. may be asked to consider the question of promoting him as a Forester as a special case.

P274-g (A)

para 3, p 167



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Public (Poll. A) Dept

Notes of development on p.p 1-3 ante
may be perused. In view of the fact
that the petitioner held ~~the~~ ^{of the designation of} post of ~~Forester~~
under the Indian Forest Act 1927 and
as he ... due to retire on 15-7-1953, this
department may agree to the suggestion
at A on p. 2 ante.

H on p 15 of.

* A on p 2 ante.

With the above remarks the note may
be ~~passed on to Pub. (Ser.)~~
~~be returned to development.~~

12/3/53

The petitioner has substantially

12.3.53 gained by being absorbed as a

Forest Guard. He has drawn allowances
of Rs 55/- whereas as Forester under

Schedule he drew only Rs 40/- in all -
He is reported to have been retained only
on his own express willingness. As such
feelings of humiliation cannot be
a factor for showing any further
concession as this may open the way
for many others to put up such claims in
the future.

14/3/53

Pub (Poll. A)

V.O. 817/53-1

17/3/53

Pub (Ser.)

Devt Public Secy

Pub. (Ser.) Devt. No 1057/53.

The notes of the Devt.
and Pub (Poll.) on pp 1-4 above
may be perused. The view ex-
pressed by Pub (Poll.) Dept. may

be agreed to in this dept. also
and the file returned to the
Rev. Bishop. 11

243.53.

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25.3.53

Dev

Development (CI) Department.

This file relates to the representation of Sri.K.Kumarappa, who was employed as a Forester in the Sandur State prior to its merger with the Madras State for appointment as a Forester in the M.F.S.S. The petition has been examined in this Dept. note on pages I--3 above. The C.C.F. recommends the case of the petitioner on the ground that the petitioner feels ~~were~~ for the humiliation caused by his absorption as a Forest Guard in the Madras Forest Dept. and This Dept. considered that if any consideration is to be given to this feeling the C.C.F. may be asked to consider the question of the petitioner promoting the petitioner as a Forester as a special case. Pub(Pol) have however stated that the petitioner has substantially gained by being absorbed as a Forest Guard on pay and allowances of Rs.55/- p.m. whereas as Forester under the Sandur State, he drew only Rs.40/- in all, that Sri.Kumarappa was retained as a Forest Guard in the M.F.S.S, on his own express willingness, that feelings of humiliation cannot be a factor for showing any further concession as this may open the way for many others to put up such claims in future. Pub(Ser) have agreed with the views of Pub(Pol).

The file may now be circulated for orders

(i) whether the C.C.F. will be asked to consider the question of promoting the petitioner as a Forester as a special case as proposed by this Dept. On

(ii) whether the petition will be rejected as suggested by Pub(Pol) and agreed to by Pub(Ser).

(ii) above may be approved

W. J. Sullivan
31-73

n (log)

Public Services
Go no 1057 / 53-1

File no 1057 / 53-1

25.3.11.

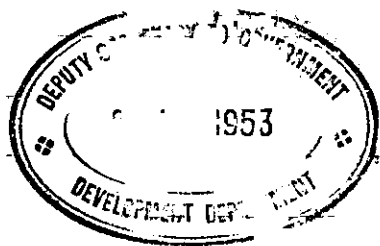
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2. APR 1953



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R. V. G. S. 303B
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orders in circulation on
PS's are many. be pursued.

A draft order is submitted
for approval.

B
44B

Am. Rev.
2453 214153